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JAN 24 2005

PATENT
Docket No. CPH35725-D1-R
page 1

In re application of:)
Application No.: 10/072,362)
Filed: February 07, 2002)
For: MOSFET DEVICE AND METHOD OF)
FABRICATING THE SAME)
Examiner: HU, SHOUXIANG)
Art Unit: 2811)

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
Under 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313

Applicant received a NOTICE OF ABANDONMENT dated January 14, 2005, indicating that the above-identified application is abandoned for failure to timely file a proper reply to the Office letter mailed on April 5, 2004.

However, Applicant already submitted a proper reply on July 6, 2004 to the United States Patent and Trademark Office (USPTO) via facsimile. The Transmission Report generated from our facsimile machine confirmed that total 15 pages (including cover page) of the reply have been transmitted successfully to fax No. 703-872-9306. We also received an Auto-Reply Facsimile Transmission from the USPTO, indicating that total 15 pages (including cover page) of the reply were received on July 6, 2004. See the attached copy of the Transmission Report and the Auto-Reply Facsimile Transmission. Also attached thereto is a copy of the reply as filed on July 6, 2004.

Therefore, the above-identified application has not been abandoned and withdrawal of holding of abandonment is requested.

Respectfully submitted,
J. C. PATENTS

Date: 1/24/2005


Jiawei Huang
Registration No. 43,330

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UNITED STATES PATENT AND TRADEMARK OFFICE

140
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAME OF INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,362	02/07/2002	Kuan-Yu Fu	CPH35726-D1	2716
23900	7590	01/14/2005	EXAMINER	
J C PATENTS, INC.			HU, SHOUXIANG	
4 VENTURE, SUITE 250				
IRVINE, CA 92618			ART UNIT	PAPER NUMBER
			2811	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.


H.A

Notice of Abandonment	Application No.	Applicant(s)	
	10/072,362	FU, KUAN-YU	
	Examiner	Art Unit	
	Shouxiang Hu	2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 05 April 2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


SHOUXIANG HU
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 19496600809

Fax Information

Date Received:

7/6/2004 7:33:49 PM [Eastern Daylight Time]

Total Pages:

15 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

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CERTIFICATE OF TRANSMISSION

July 6, 2004

Atty Docket No. :	CPH35726-D1-R
Appl. No. :	10/072,362
Filing Date :	February, 07, 2002
Pages :	Cover + 14

BY FACSIMILE ONLY

Fax No. :	703-872-9306
Attention :	EXAMINER : HU, SHOUXIANG
Group Unit :	2811
From :	Jianwei Huang, Reg. No. 43,330
MESSAGE :	Enclosed herewith is an Amendment with amended drawing in 14 pages.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on July 6, 2004 at the above indicated fax number.

Sign by: Michelle Chang
Michelle Chang

Note: This facsimile transmission is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please kindly notify us immediately, and return the original message to us at the above address. We greatly appreciate your cooperation.

PAGE 1/01 * RCVD AT 7/6/2004 7:33:49 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-1/5 * DN18:8729306 * CSID:19496600809 * DURATION (mm-ss):05-58

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CERTIFICATE OF TRANSMISSION

January 24, 2005

Atty Docket No. :	CPH35726-D1-R
Appl. No. :	10/072,362
Filing Date :	February, 07, 2002
Pages :	Cover + 18

BY FACSIMILE ONLY

Fax No. :	703-872-9306
Attention :	EXAMINER : HU, SHOUXIANG
Group Unit :	2811
From :	Jiawei Huang, Reg. No. 43,330
MESSAGE :	Enclosed herewith are: [x] Petition to Withdraw Holding of Abandonment. [x] Notice of Abandonment. [x] Copy of Amendment previously filed with the PTO Auto-Reply Facsimile Transmission in 15 pages.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on January 24, 2005 at the above indicated fax number.

Sign by

Michelle Chang

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